

4TH DISTRICT COURT - HEBER  
WASATCH COUNTY, STATE OF UTAH

STATE OF UTAH vs. TYREL PRESTON SMITH

CASE NUMBER 211500055 State Felony

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CHARGES

Charge 1 - 76-5-404.1 - SEXUAL ABUSE OF A CHILD - 1st Degree Felony (amended to) - 2nd Degree Felony

Offense Date: May 01, 2020

Location: Wasatch County

Disposition: September 22, 2021 Guilty

Charge 2 - 76-5-402.3 - OBJECT RAPE OF A CHILD - 1st Degree Felony

Offense Date: May 01, 2020

Location: Wasatch County

Disposition: September 22, 2021 Dismissed w/ Prejudi

Charge 3 - 76-5-403.1 - SODOMY ON A CHILD - 1st Degree Felony

Offense Date: June 01, 2020

Location: Wasatch County

Disposition: September 22, 2021 Dismissed w/ Prejudi

Charge 4 - 76-5-403 - FORCIBLE SODOMY - 1st Degree Felony

Offense Date: August 03, 2020

Location: Wasatch County

Disposition: September 22, 2021 Dismissed w/ Prejudi

CURRENT ASSIGNED JUDGE

JENNIFER A BROWN

PARTIES

Plaintiff - STATE OF UTAH

Represented by: SAMUEL WADE

Defendant - TYREL PRESTON SMITH

Represented by: JAROM BANGERTER

DEFENDANT INFORMATION

Defendant Name: TYREL PRESTON SMITH

Offense Tracking Number: 59009209

Date of Birth: December 15, 2001

Law Enforcement Agency: HEBER CITY POLICE

LEA Case Number: 2103-1195

Officer Name: BRYAN BOWERS

Prosecuting Agency: WASATCH COUNTY

Violation Date: 05-01-2020

ACCOUNT SUMMARY

CASE NOTE

PROCEEDINGS

03-29-2021 Filed: INFORMATION  
03-29-2021 Case filed by efiler  
03-29-2021 Filed: From an Information  
03-29-2021 Judge JENNIFER A BROWN assigned.  
03-30-2021 INITIAL APPEARANCE scheduled on March 30, 2021 at 09:00 AM in  
COURTROOM 1 with Judge JENNIFER A BROWN  
03-30-2021 PRELIMINARY HEARING-WAIVE scheduled on April 07, 2021 at 09:00  
AM in COURTROOM 1 with Judge JENNIFER A BROWN  
03-30-2021 Minute Entry - INITIAL APPEARANCE  
Judge: JENNIFER A BROWN

PRESENT

Clerk: teris  
Prosecutor: WADE, SAMUEL  
Defendant Present  
The defendant is in the custody of the Wasatch County Jail  
Audio  
Tape Number: 1 WebEx Tape Count: 9:24-9:38

INITIAL APPEARANCE

A copy of the Information is given to the defendant.  
Defendant waives reading of Information.  
Advised of charges and penalties.  
Richard Gale is appointed as the Public Defender in this  
case. The family may retain Dan Matthews at a later time.  
Bail to remain as previously set. Waiver hearing set for  
4/7/21 @ 9:00 a.m.

APPOINTMENT OF COUNSEL

Court finds the defendant indigent and appoints RICHARD  
GALE to represent the defendant.  
Appointed Counsel:  
Name: RICHARD GALE  
Address: 2155 N FREEDOM BLVD  
City: PROVO UT 84604  
Phone: 8013197158  
Affidavit of indigency has been completed by the defendant

PRELIMINARY HEARING-WAIVE is scheduled.

Date: 04/07/2021  
Time: 09:00 a.m.  
Before Judge: JENNIFER A BROWN

CUSTODY

The defendant is remanded to the custody of the Wasatch  
County Jail.  
This hearing will not take place at the courthouse. It will  
be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic  
device to appear remotely, notify the court.

03-31-2021 Filed: Return of Electronic Notification  
04-05-2021 Filed: Probable Cause Statement  
04-05-2021 Filed: Onpoint Court Services - Acceptance Verification  
04-06-2021 Filed: Return of Electronic Notification  
04-06-2021 Filed: Discovery Response  
04-25-2021 Filed: Return of Electronic Notification

04-07-2021 PRELIMINARY HEARING-WAIVE scheduled on April 21, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

04-07-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa

Prosecutor: KING, MCKAY

Defendant Present

The defendant is in the custody of the Wasatch County Jail

Defendant's Attorney(s): FACEMYER, DANA

Audio

Tape Number: FTR Tape Count: 10:34/2:10

HEARING

This matter comes before the Court for Waiver Hearing. Counsel addresses the Court. Request for release with conditions is denied. At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 04/21/2021

Time: 09:00 a.m.

Location: COURTROOM 1

WASATCH COUNTY COURTHOUSE

1361 SOUTH HIGHWAY 40

HEBER, UT 84032

Before Judge: JENNIFER A BROWN

04-08-2021 Filed: Return of Electronic Notification

04-21-2021 PRELIMINARY HEARING-WAIVE scheduled on May 05, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

04-21-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa

Prosecutor: WADE, SAMUEL

Defendant Present

The defendant is in the custody of the Wasatch County Jail

Defendant's Attorney(s): FACEMYER, DANA

Audio

Tape Number: FTR Tape Count: 10:12

HEARING

This matter comes before the Court for Waiver Hearing. At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 05/05/2021

Time: 09:00 a.m.

Location: COURTROOM 1

WASATCH COUNTY COURTHOUSE

1361 SOUTH HIGHWAY 40

HEBER, UT 84032

Before Judge: JENNIFER A BROWN

04-22-2021 Filed: Return of Electronic Notification

04-27-2021 Filed: Supplemental Discovery

04-27-2021 Filed: Return of Electronic Notification

05-05-2021 PRELIMINARY HEARING-WAIVE scheduled on June 09, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

05-05-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa

Prosecutor: WADE, SAMUEL

Defendant Present

The defendant is in the custody of the Wasatch County Jail

Defendant's Attorney(s): FACEMYER, DANA

Audio

Tape Number: FTR Tape Count: 9:18/9:24

HEARING

This matter comes before the Court for Waiver Hearing. At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 06/09/2021

Time: 09:00 a.m.

Location: COURTROOM 1

WASATCH COUNTY COURTHOUSE

1361 SOUTH HIGHWAY 40

HEBER, UT 84032

Before Judge: JENNIFER A BROWN

05-06-2021 Filed: Return of Electronic Notification

05-20-2021 Filed: Substitution of Counsel Substitution of Counsel

05-20-2021 Filed: Return of Electronic Notification

05-20-2021 NOTICE for Case 211500055 ID 21831811

Date:

The reason for the change is Counsel's request.

05-20-2021 PRELIMINARY HEARING-WAIVE scheduled on May 26, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

05-21-2021 Filed: Return of Electronic Notification

05-24-2021 Filed: Discovery Response

05-24-2021 Filed: Return of Electronic Notification

05-26-2021 PRELIMINARY HEARING-WAIVE scheduled on June 30, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

05-26-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa

Prosecutor: WADE, SAMUEL

Defendant Present

The defendant is in the custody of the Wasatch County Jail

Defendant's Attorney(s): BANGERTER, JAROM

Audio

Tape Number: FTR Tape Count: 9:51

HEARING

This matter comes before the Court for Waiver Hearing. Counsel address the Court regarding custody. The defendant may be released on his own recognizance. The defendant is ordered to have a GPS ankle monitor installed prior to release. The conditions of the ankle monitor are as follows:

The defendant will be under home confinement at his grandparents' residence located at 2835 So Daniel Road, Daniel, Utah. The defendant is not to leave the residence, with the exception of medical emergencies or the meet with counsel. Any violation of the home confinement order is to be reported immediately to law enforcement, the pretrial release conditions revoked, and the defendant to be taken into custody.

At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 06/30/2021

Time: 09:00 a.m.

Location: COURTROOM 1

WASATCH COUNTY COURTHOUSE

1361 SOUTH HIGHWAY 40

HEBER, UT 84032

Before Judge: JENNIFER A BROWN

05-26-2021 Filed order: PRELIMINARY HEARING-WAIVE

Judge JENNIFER A BROWN

Signed May 26, 2021

05-27-2021 Filed: Return of Electronic Notification

06-30-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa

Prosecutor: WADE, SAMUEL

Defendant Present

Defendant's Attorney(s): BANGERTER, JAROM

Audio

Tape Number: FTR Tape Count: 9:54

HEARING

This matter comes before the Court for Waiver Hearing. The defense motions for the pretrial release conditions to be modified. The Court grants. The defendant may travel with his grandparents to Salt Lake City on July 13, 2021.

At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 08/11/2021

Time: 09:00 a.m.

Location: COURTROOM 1

WASATCH COUNTY COURTHOUSE

1361 SOUTH HIGHWAY 40

HEBER, UT 84032

Before Judge: JENNIFER A BROWN

07-01-2021 PRELIMINARY HEARING-WAIVE scheduled on August 11, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

07-02-2021 Filed: Return of Electronic Notification

08-11-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa  
Prosecutor: WADE, SAMUEL  
Defendant Present  
Defendant's Attorney(s): BANGERTER, JAROM  
Audio  
Tape Number: FTR Tape Count: 9:49

HEARING

This matter comes before the Court for Waiver Hearing. At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 09/08/2021  
Time: 09:00 a.m.  
Location: COURTROOM 1  
WASATCH COUNTY COURTHOUSE  
1361 SOUTH HIGHWAY 40  
HEBER, UT 84032  
Before Judge: JENNIFER A BROWN

08-12-2021 PRELIMINARY HEARING-WAIVE scheduled on September 08, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

08-13-2021 Filed: Return of Electronic Notification

09-08-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: JENNIFER A BROWN

PRESENT

Clerk: tameraa  
Prosecutor: WADE, SAMUEL  
Defendant Present  
Defendant's Attorney(s): BANGERTER, JAROM  
Audio  
Tape Number: FTR Tape Count: 9:53

HEARING

This matter comes before the Court for Waiver Hearing. At the request of counsel, this matter is continued.

PRELIMINARY HEARING-WAIVE.

Date: 09/22/2021  
Time: 09:00 a.m.  
Location: COURTROOM 1  
WASATCH COUNTY COURTHOUSE  
1361 SOUTH HIGHWAY 40  
HEBER, UT 84032  
Before Judge: JENNIFER A BROWN

09-09-2021 PRELIMINARY HEARING-WAIVE scheduled on September 22, 2021 at 09:00 AM in COURTROOM 1 with Judge JENNIFER A BROWN

09-10-2021 Filed: Return of Electronic Notification

09-21-2021 Filed: Statement in Support of Guilty Plea

09-21-2021 Filed: Return of Electronic Notification

09-22-2021 Filed order: Statement of Defendant in Support of Guilty Plea and Certificate of Counsel

Judge JENNIFER A BROWN  
Signed September 22, 2021

09-22-2021 Charge 1 Disposition is Guilty

09-22-2021 Charge 1 amended to 2nd Degree Felony

09-22-2021 Charge 2 Disposition is Dismissed w/ Pr

09-22-2021 Charge 3 Disposition is Dismissed w/ Pr  
09-22-2021 Charge 4 Disposition is Dismissed w/ Pr  
09-22-2021 SENTENCING scheduled on November 24, 2021 at 10:33 AM in  
COURTROOM 1 with Judge JENNIFER A BROWN

09-22-2021 Minute Entry - WAIVER HEARING

Judge: JENNIFER A BROWN  
PRESENT

Clerk: tameraa  
Prosecutor: WADE, SAMUEL  
Defendant Present  
Defendant's Attorney(s): BANGERTER, JAROM  
Audio  
Tape Number: FTR Tape Count: 11:16

WAIVER HEARING

Presentence Investigation ordered.  
The Judge orders Adult Probation and Parole to prepare the  
report.  
Defendant is ordered to contact Adult Probation and Parole  
within 48 hours for the preparation of a presentence  
report.

HEARING

The Defendant waives the right to a preliminary hearing. A  
statement in support of guilty plea is received. Count(s) 1  
is amended. The remaining counts are dismissed. The Court  
accepts the guilty plea(s) after the factual basis is  
given. The Defendant is advised of their rights and  
penalties. The Defendant waives time for sentencing.

The pretrial release conditions are modified to allow the  
Defendant to leave his place of residence to travel to and  
from work for the work day.

SENTENCING is scheduled.

Date: 11/24/2021  
Time: 10:33 a.m.  
Location: COURTROOM 1  
WASATCH COUNTY COURTHOUSE  
1361 SOUTH HIGHWAY 40  
HEBER, UT 84032  
Before Judge: JENNIFER A BROWN

09-23-2021 Filed order: WAIVER HEARING

Judge JENNIFER A BROWN  
Signed September 23, 2021

09-23-2021 Note: Pre-sentence Investigation Order Transmitted to Adult  
Probation and Parole

09-24-2021 Filed: Return of Electronic Notification

09-25-2021 Filed: Return of Electronic Notification

11-18-2021 \*\*\*\* PROTECTED \*\*\*\* Filed: Pre Sentence Investigation Report

11-19-2021 Filed: Return of Electronic Notification

11-24-2021 Minute Entry - SENTENCING

Judge: JENNIFER A BROWN  
PRESENT

Clerk: tameraa  
Prosecutor: WADE, SAMUEL  
Defendant Present  
Defendant's Attorney(s): BANGERTER, JAROM  
Audio

Tape Number: FTR Tape Count: 12:10

HEARING

This matter comes before the Court for Sentencing. At the request of counsel, this matter is continued.

SENTENCING.

Date: 01/05/2022

Time: 10:33 a.m.

Location: COURTROOM 1

WASATCH COUNTY COURTHOUSE

1361 SOUTH HIGHWAY 40

HEBER, UT 84032

Before Judge: JENNIFER A BROWN

11-24-2021 SENTENCING scheduled on January 05, 2022 at 10:33 AM in COURTROOM 1 with Judge JENNIFER A BROWN

11-25-2021 Filed: Return of Electronic Notification